

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the matter of Formal Complaint ) FC-1207  
No. 1207, LuAnne Champion, Omaha, )  
Nebraska, Complainant v. ) DISMISSED AS SATISFIED  
Northwestern Bell Telephone ) Nunc Pro Tunc  
Company, Omaha, Nebraska, )  
Defendant. ) Entered: December 22, 1987  
February 2, 1988

Appearances: For Complainant  
LuAnne Champion  
P.O. Box 12129  
Florence Station  
Omaha, NE 68112

For Defendant  
Richard Johnson, Attorney  
100 South 19th Street  
Omaha, NE 68102

BY THE COMMISSION:

OPINION AND FINDINGS

By order entered December 22, 1987, the Commission dismissed the captioned formal complaint as satisfied. Upon further consideration of the matter a nunc pro tunc order should be issued as follows:

By formal complaint filed May 13, 1987, LuAnne Champion charged that Northwestern Bell Telephone Company was providing inadequate service.

Northwestern Bell Telephone Company filed a Statement of Satisfaction on May 26, 1987 and a revised Statement of Satisfaction on June 2, 1987 showing the acceptance of the complainant thereon. Subsequently on June 30, 1987 complainant advised that she wanted a hearing on her complaint.

Pursuant to notice required by law, public hearing was held on the formal complaint on October 14, 1987 at 9:30 a.m. in the Commission Hearing Room, Lincoln, Nebraska, with appearances as shown.

Upon consideration of the formal complaint, the evidence adduced at the hearing and being fully advised, the Commission is of the opinion and finds that:

1. Complainant is an individual residing at 268 North 115th Street, Omaha, Nebraska, with telephone service through two numbers.

2. Defendant is a common carrier under the jurisdiction of this Commission.

3. Mrs. Champion testified that she had had problems with a tenant in her building in 1981. After the tenant left the building when his lease was up, she began to experience harassing phone calls and suspected that her calls were being intercepted.

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She complained to Northwestern Bell about this as well as other similar incidents which occurred later; however, the telephone company was unable to satisfy her complaints. The telephone company was able to determine that some of the calls originated at public telephones.

4. Ted Hanna, Manager of Installation and Repair for Northwestern Bell testified that he had personally been involved in testing Mrs. Champion's lines for evidence of wiretapping on a number of occasions. No evidence of wiretapping was ever found. Mr. Hanna also explained the company's investigation and repair of specific service problems set forth in the complaint.

5. Defendant called two other witnesses to respond to incidents listed in the complaint involving changes in service and billing.

6. Complainant indicated that her telephone service is currently satisfactory but that she is not satisfied as to the cause of the telephone harassment she has experienced. Counsel for defendant indicated that he would accompany Mrs. Champion to visit with the appropriate law enforcement authorities concerning the harassment and alleged wiretapping incidents.

7. Notwithstanding the merits of these serious accusations the Nebraska Public Service Commission cannot vest itself with jurisdiction into investigation of criminal wrongs. It is recommended that any such declarations must be made and investigated by the appropriate law enforcement body.

8. The complaint should be dismissed as satisfied.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Formal Complaint No. 1207 be and it is hereby dismissed as satisfied, nunc pro tunc.

MADE AND ENTERED at Lincoln, Nebraska, this 2nd day of February, 1988.

NEBRASKA PUBLIC SERVICE COMMISSION

*Daniel G. Urwiller*

Chairman

ATTEST:

*[Signature]*

Executive Secretary

COMMISSIONERS CONCURRING:

*Duane D. Gay*

//s//James F. Munnelly

//s//Eric Rasmussen

//s//Harold D. Simpson

//s//Daniel G. Urwiller